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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,549	07/20/2006	Martijn Schimmer	3135-053021	4397

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EXAMINER

WANG, JACK K

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

03/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,549

Applicant(s)

SCHIMMER ET AL.

Examiner

JACK WANG

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13 and 15-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13 and 15-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13, 15-17, and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lastinger et al. (US Patent # 6,552,661 B1) in view of Matveev (Pub # US 2003/0198271 A1).

Consider claim 13, Lastinger et al. teaches a system for localizing (zone-based) articles of sports equipment, comprising: means for generating an electromagnetic energy (radio frequency) field, wherein the energy (radio frequency) field is formed by one or more pulse streams (pulse code modulation), at least one disrupting means for locally disrupting the energy field, detection means for detecting the local disruption of the energy field, and a control unit (locator) coupled to the detection means for localizing the disrupting means on the basis of the detected local disruption, wherein the means for generating the energy field are adapted to transmit pulse beams of a plurality of pulse streams (Column 4 lines 4-27), except wherein the Ultra-Wideband (UWB) and each pulse beam comprises nine pulse streams, which pulse streams are oriented at least substantially parallel to each other.

In the same field of endeavor, Matveev teaches the Ultra-Wideband (UWB) (selection bandwidth from 200 MHz up to 1GHz) [0057 lines 4-7] and each pulse beam (110, Fig. 1) comprises plurality of pulse streams, which pulse streams (110, Fig. 1) are oriented at least

substantially parallel to each other for the benefit of reducing image distortions, noise and glare from oncoming vehicle, thereby providing images with higher quality.

Although Matveev does not specifically teach each pulse beam comprises nine pulse streams. He does disclose each pulse beam comprises plurality of pulse streams (110, Fig. 1), which are arranged in parallel to provide higher quality image. Since the number of pulse stream does not yield unpredictable results. Therefore, the number of pulses stream are design choice for the particular application.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Ultra-Wideband and each pulse beam comprises nine pulse streams, which pulse streams are oriented at least substantially parallel to each other as shown in Matveev. in Lastinger et al. device for the benefit of reducing image distortions, noise and glare from oncoming vehicle, thereby providing images with higher quality.

Consider claim 15, Lastinger et al. clearly shown and disclose the system wherein each disrupting (determination) means is adapted to disrupt (detect) the electromagnetic (radio frequency) energy field in manner that distinguishes it from other disrupting means in the system (Column 4 lines 4-19).

Consider claim 16, Lastinger et al. clearly shown and discloses the system wherein the disrupting means is adapted to reflect the pulse streams (Column 4 lines 29-36).

Consider claim 17, Lastinger et al. clearly shown and disclose the system wherein the disrupting means is adapted to influence (absorption) the pulse streams (Column 4 lines 29-36).

Consider claim 20, Lastinger et al. clearly shown and discloses the system wherein the system is provided with visual means (computer 110) communicating with the control unit for

displaying the location of the detected disrupting means (Column 4 lines 41-51).

Consider claim 21, Lastinger et al. clearly shown and discloses the system wherein the communication between the control unit and the visual means takes place wirelessly via electromagnetic radiation (Column 4 lines 63-67 and Column 5 lines 1-11).

Consider claim 22, Lastinger et al. clearly shown and disclose the system wherein the communication between the control unit and the visual means takes place wirelessly via pulse streams (Column 4 lines 63-67 and Column 5 lines 1-14).

Consider claim 23, Lastinger et al. clearly shown and discloses a method for localizing sports equipment (objects), comprising the steps of: A) generating an electromagnetic energy (radio frequency) field, B) placing in the electromagnetic energy field at least one object or animal provided with at least one disrupting means for locally disrupting the electromagnetic energy field, C) detecting the local disruption (detection) of the electromagnetic energy (radio frequency) field, and D) localizing the object or animal on the basis of the detected local disruption (Column 4 lines 4-29), except the Ultra-Wideband (UWB) and wherein each pulse beam comprise nine pulse streams oriented at least substantially parallel to each other.

In the same field of endeavor, Matveev teaches the Ultra-Wideband (UWB) (selection bandwidth from 200 MHz up to 1GHz) [0057 lines 4-7] and each pulse beam (110, Fig. 1) comprises plurality of pulse streams, which pulse streams (110, Fig. 1) are oriented at least substantially parallel to each other for the benefit of reducing image distortions, noise and glare from oncoming vehicle, thereby providing images with higher quality.

Although Matveev does not specifically teach each pulse beam comprises nine pulse streams. He does disclose each pulse beam comprises plurality of pulse streams (110, Fig. 1),

which are arranged in parallel to provide higher quality image. Since the number of pulse stream does not yield unpredictable results. Therefore, the number of pulses stream are design choice for the particular application.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Ultra-Wideband and each pulse beam comprises nine pulse streams, which pulse streams are oriented at least substantially parallel to each other as shown in Matveev. in Lastinger et al. device for the benefit of reducing image distortions, noise and glare from oncoming vehicle, thereby providing images with higher quality.

Consider claim 24, Lastinger et al. clearly shown and discloses the method, wherein the method is provided with a step E) comprising of visualizing the location of the article of sports equipment (object) after localizing the article of sports equipment (object) on the basis of the detected local disruption as according to step D) (Column 4 lines 41-51) .

3. Claim 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Lastinger et al. (US Patent # 6,552,661 B1) in view of Matveev (Pub # US 2003/0198271 A1). as applied to claim 13 above, and further in view of Horwitz et al. (US Patent # 6,617,962 B1).

Consider claim 18, Lasting et al. and Matevve combined references teaches the similar invention except the system wherein the disrupting means is formed by a chip.

In the same field of endeavor, Horwitz et al. teaches the disrupting means is formed by a chip (Column 1 lines 34-38) for the benefit of comply with industrial standard in RFID technology.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to include the disrupting means is formed by a chip as shown in Horwitz et al., in Lastinger et al. and Matevve combined device for the benefit of comply with industrial standard in RFID technology.

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lastinger et al. (US Patent # 6,552,661 B1) in view of Horwitz et al. (US Patent # 6,617,962 B1) as applied to claim 18 above, and further in view of Orenstein et al. (US Patent # 5,976,038) (Already of record).

Consider claim 20, Lastinger et al. and Horwitz et al. combined reference teaches similar invention except the system wherein the disrupting means is formed by a coating.

Orenstein et al. teaches the disrupting means is formed by a coating (Column 4 lines 5-17) for the benefit of reflecting the energy towards the receiving antenna.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the disrupting means is formed by a coating as shown in Orenstein et al., in Lastinger et al. and Horwitz et al. combined device for the benefit of reflecting the energy towards the receiving antenna.

Response to Arguments

5. Applicant's arguments with respect to claim 13, and 15-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACK WANG whose telephone number is (571)272-1938. The examiner can normally be reached on M-F 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JKW/

/Daniel Wu/
Supervisory Patent Examiner, Art Unit 2612